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Report of the Human Rights Council

Programme budget for the biennium 2008-2009

Resolutions and decisions adopted by the Human Rights Council following its continuing review of its subsidiary machinery and its related programme budget implications: a consolidated statement

Report of the Secretary-General

Summary

The present report is in response to resolution 62/245, in which the General Assembly endorsed the conclusions contained in the report of the Advisory Committee on Administrative and Budgetary Questions (A/62/7/Add.34). In paragraph 5 of its report, the Advisory Committee indicated that, during the biennium, the General Assembly would be provided with a consolidated statement of requirements arising from the continuing review by the Human Rights Council of its subsidiary machinery in accordance with resolution 60/251, as indicated in paragraph 91 of the report of the Secretary-General (A/62/671).

The additional requirements resulting from the resolutions and decisions of the Human Rights Council for which provisions have not been made in the 2008-2009 programme budgets is estimated at $1,733,100. The extent to which these additional requirements would need additional appropriation for the biennium 2008-2009 will be determined in the context of the consolidated statement of programme budget implications and revised estimates for 2008-2009 to be submitted to the General Assembly towards the end of the main part of the sixty-third session, together with the proposals on utilization of the contingency fund for these additional requirements.

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I. Introduction

1. By its resolution 62/245, the General Assembly endorsed the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions (A/62/7/Add.34).

2. In paragraph 5 of the report, the Advisory Committee indicated that, during the biennium, the General Assembly would be provided with a consolidated statement of requirements arising from the continuing review of the Human Rights Council of its subsidiary machinery in accordance with Assembly resolution 60/251 as indicated in paragraph 91 of the relevant report of the Secretary-General (A/62/671).

3. Under the terms of paragraph 6 of its resolution 60/251, the General Assembly requested the Council to complete the review of its subsidiary machinery within one year after the holding of the first session of the Council. The Assembly also tasked the Council to undertake a universal periodic review of the fulfilment by each State of its human rights obligations and commitments, and develop the modalities and necessary time allocation for such a mechanism.

4. Given that the process of review, rationalization and improvement of special procedures mandates of the Human Rights Council was completed at the ninth session of the Council, in September 2008, the present report contains a consolidated statement of requirements arising from the continuing review by the Council of its subsidiary machinery, in accordance with Assembly resolution 60/251, since its first session, in June 2006, until the ninth session, in September 2008, including all five special sessions.

5. The present report has been submitted to inform the General Assembly in a consolidated manner the requirements arising from the finalization of the review by the Human Rights Council of its subsidiary machinery. In addition, following a review of the potential absorptive capacity of the programme budget for the biennium 2008-2009, the additional requirements amount to $1,733,100. The extent to which these additional requirements would need additional appropriation for the biennium 2008-2009 will be determined in the context of the consolidated statement of programme budget implications and revised estimates for 2008-2009 to be submitted to the General Assembly towards the end of the main part of the sixty-third session together with the proposals on utilization of the contingency fund for these additional requirements.

II. Additional requirements arising from the continuing review by the Human Rights Council of its subsidiary machinery

6. Since its establishment in June 2006, the Human Rights Council has adopted a number of resolutions and decisions by which it authorized relevant human rights bodies and special procedures to continue or undertake additional activities, including meetings, in excess of the resources approved in the programme budget for the biennniums 2006-2007 and 2008-2009. For activities, called for in a number of resolutions and decisions, which are considered to be of a "perennial nature", provisions have been made in the programme budget for the biennium concerned. For some activities, for which provision had not been made, it has been proposed that these requirements be absorbed from within approved appropriations and

addressed in the context of the second performance report for the biennium concerned.

7. The Council has extended or replaced the mandates of 48 of the 61 subsidiary mechanisms of its predecessor, the Commission on Human Rights. At the same time, the Council has established an approximately equal number of new mechanisms as detailed in annex III to the report of the Secretary-General (A/63/541) on revised estimates resulting from resolutions adopted by the Council at its seventh and eighth sessions.

8. Although it is expected that the Council will continue to improve and fine-tune its mechanisms, the Office of the High Commissioner for Human Rights considers that the institution-building phase of the Council has now been completed.

9. In response to General Assembly resolution 60/251, the modalities of the universal periodic review were defined by the Human Rights Council in its resolution 5/1, the resource requirements were submitted to the General Assembly in a statement of programme budget implications (A/C.5/62/12) and resources were approved by the Assembly in its resolution 62/237. In addition, the programmatic and financial consequences of Human Rights Council decision 3/104 were submitted in the report of the Secretary-General (A/62/125) and the resources were approved by the General Assembly in its resolution 62/238. It should be noted that the resource requirements related to the Durban Review Conference and its related preparatory processes have been submitted in a statement of programme budget implications (A/C.5/63/17) and will be considered by the General Assembly at its current sixty-third session. Hence, those requirements are excluded from the present report.

10. As can be noted from the annex to the present report, the total requirements resulting from resolutions and decisions adopted by the Human Rights Council since its establishment through its ninth session for which statements of programme budget implications were submitted (excluding the estimates in paragraph 9 above) have been estimated at $8,433,400 for the biennium 2006-2007 and $12,674,200 for the biennium 2008-2009.

11. For the programme budget for the biennium 2006-2007, of the amount estimated at $8,433,400, the Council was informed that provision estimated at $4,328,600 had already been made in the programme budgets owing to the "perennial nature" of the mandates, and the total remaining requirements estimated at $4,104,800 would be absorbed within available resources under the programme budget for the biennium 2006-2007. The following actions have been taken with regard to the requirements estimated at $3,394,400 arising from resolutions and decisions taken in 2006, which were to be considered in the context of the proposed programme budget for the biennium 2008-2009:

(a) An estimated amount of $1,880,600 was anticipated to be required in the biennium 2008-2009 based on the assumption, at the time the programme budget implication of Council resolution 1/1 was adopted, that the International Convention for the Protection of All Persons from Enforced Disappearance would enter into force during the biennium 2008-2009. If the Convention is to enter into force in 2009, the Secretariat will review the requirements based on the decision to be taken by the States parties, and a report on revised estimates will be submitted to the General Assembly at that time;

(b) The estimated amount of $1,210,500 resulting from the adoption of resolution 1/5 and decision 3/103 has been taken into consideration in the programme budget for the biennium 2008-2009;

(c) An amount of $303,300 was anticipated to be required for the biennium arising from Council resolution 3/2 on the preparations for the Durban Review Conference. This requirement has been met from within approved resources under the programme budget for 2008-2009, as detailed in paragraphs 15 and 16 (c) of A/C.5/63/17, which is currently before the General Assembly for its consideration at the sixty-third session.

12. With regard to the programme budget for the biennium 2008-2009, of the total estimated requirement of $12,674,200, the Council was informed that provisions in the amount of $5,369,200 had already been made in the programme budget for the biennium 2008-2009 owing to the "perennial nature" of the mandates. Further, an amount estimated at $5,571,900 would be absorbed within the approved appropriations for the biennium 2008-2009, leaving a balance estimated at $1,733,100, the treatment of which is the subject of the present report.

13. The table below reflects the additional requirements amounting to $1,733,100, arising primarily from resolutions and decisions adopted by the Council at its sixth session, in particular 6/13, 6/14, 6/15, 6/20, 6/26, 6/33, 6/36, seventh session, in particular 7/33 and 7/35 and eighth session, in particular 8/7. In the reports on the revised estimates resulting from resolutions adopted by the Council at its sixth session and its fifth special session, in 2007 (A/62/671), and at its seventh and eighth sessions, in 2008, and proposals to improve the procedure for presenting to the Assembly the financial requirements arising from the resolutions and decisions of the Council (A/63/541), the Secretariat informed the General Assembly that, although no provisions have been foreseen under the programme budget for the biennium 2008-2009, the additional requirements estimated at $466,700 and $1,266,400, respectively, were not being sought at that time but would be dealt with in the context of a consolidated statement of requirements arising from the continuing review by the Human Rights Council of its subsidiary machinery. The potential absorptive capacity arising from the amended programme of work under the programme budget for the biennium 2008-2009 would accordingly be reported to the General Assembly at its sixty-third session.

14. Following a review of possible areas from which resources could be redeployed, the Secretariat is not able to identify such areas at this stage. Accordingly, additional requirements of $1,733,100 are needed under: (a) section 2, General Assembly and Economic and Social Council affairs and conference management ($70,800); (b) section 23, Human rights ($1,658,300); (c) section 28E, Administration, Geneva ($4,000); and (d) section 35, Staff assessment ($108,400) to be offset by an equivalent amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2008-2009.

15. While every effort will be made to accommodate these requirements from within the approved appropriations under the programme budget for the biennium 2008-2009, the extent to which these requirements would need additional appropriation for the biennium 2008-2009 will be determined in the context of the consolidated statement of programme budget implications and revised estimates for 2008-2009 to be submitted to the General Assembly towards the end of the main part of the sixty-third session, together with the proposals on utilization of the contingency fund for these additional requirements.

16. The annex to the present report provides a summary of the overall requirements resulting from resolutions adopted by the Council at its first to ninth sessions, including the five special sessions, as detailed in the relevant annex to the reports on revised estimates (A/61/530 and Add.1-3, A/62/125, A/62/671 and A/63/541).

17. For the biennium 2010-2011, total estimated requirements of $1,414,300, under section 2, General Assembly and Economic and Social Council affairs and conference management ($52,400), and section 23, Human rights ($1,360,900) and section 28E, Administration, Geneva ($1,000), and under section 35, Staff assessment ($108,400) to be offset by an equivalent amount under income section 1, Income from staff assessment, will be considered in the context of the proposed programme budget for the biennium 2010-2011.

Table

Overall summary of requirements arising from resolutions adopted at the sixth, seventh and eighth sessions of the Human Rights Council

Human Rights Council resolutions		*Budget section*	*Requirements reported in A/62/671 and A/63/541 (Thousands of United States dollars)*
Report A/62/671			
6/13	Social Forum	2	52.4
		23	15.0
		28E	1.0
6/14	Special Rapporteur on contemporary forms of slavery	23	8.3
6/15	Forum on minority issues	2	(157.8)
		23	55.8
		28E	(1.0)
6/20	Regional arrangements for the promotion and protection of human rights	2	53.7
		23	80.8
		28E	0.7
6/26	Elaboration of human rights voluntary goals to be launched on the occasion of the celebration of the sixtieth anniversary of the Universal Declaration of Human Rights	2	122.5
		23	85.8
		28E	3.3
6/33	Follow-up to the report of the Special Rapporteur on the situation of human rights in Myanmar	23	78.4
6/36	Expert mechanism on the rights of indigenous peoples	23	67.8
Report A/63/541			
7/33	From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance	23	21.2
7/35	Assistance to Somalia in the field of human rights	23	1 214.0
8/7	Mandate of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises	23	31.2
	Total		**1 733.1**

III. Conclusions and recommendation

18. **As reflected in the table above, the implications of the resolutions, adopted by the Human Rights Council at its sixth, seventh and eighth sessions, give rise to a total estimated requirement of $1,733,100 for the biennium 2008-2009. The amount represents requirements under: (a) section 2, General Assembly and Economic and Social Council affairs and conference management ($70,800); (b) section 23, Human rights ($1,658,300); (c) section 28E, Administration, Geneva ($4,000); and (d) section 35, Staff assessment ($108,400) to be offset by an equivalent amount of $108,400 under income section 1, Income from staff assessment. While every effort will be made to accommodate these requirements from within the approved appropriations under the programme budget for the biennium 2008-2009, the extent to which these requirements would need additional appropriation for the biennium 2008-2009 will be determined in the context of the consolidated statement of programme budget implications and revised estimates for 2008-2009 to be submitted to the General Assembly towards the end of the main part of the sixty-third session, together with the proposals on the utilization of the contingency fund for these additional requirements.**

19. **For the biennium 2010-2011 total estimated requirements of $1,414,300, under section 2, General Assembly and Economic and Social Council affairs and conference management ($52,400), and section 23, Human rights ($1,360,900) and section 28E, Administration, Geneva ($1,000), and under section 35, Staff assessment ($108,400) to be offset by an equivalent amount under income section 1, Income from staff assessment, will be considered in the context of the proposed programme budget for the biennium 2010-2011.**

20. **The General Assembly is requested to address the funding of the above requirements for the biennium 2008-2009 amounting to $1,773,100 when it considers the consolidated report of programme budget implication statements and revised estimates relating to the use of the contingency fund.**

Annex

Summary of overall requirements resulting from resolutions and decisions of the Human Rights Council at its first through ninth sessions, and its first through fifth special sessions

(United States dollars)

	2006-2007			*2008-2009*	
Session of Human Rights Council	*Requirements*	*Already included in the programme budget*	*Accommodated from existing appropriation*	*Requirements for 2008-2009 to be considered in the context of the proposed programme budget for 2008-2009*[a]	*Requirements to be considered in the context of a consolidated statement on the Council's review of its subsidiary machinery*
Programme budget for the biennium 2006-2007					
1. First session and first and second special sessions, 2006	6 033 300	4 328 600	1 704 700	2 639 300	—
2. Resumed second session, 2006	151 000	—	151 000	—	—
3. Third session, 2006	1 290 100	—	1 290 100	755 100	—
4. Third special session, 2006	130 500	—	130 500	—	—
5. Fourth special session, 2006	347 200	—	347 200	—	—
6. Fourth session, 2007	434 600	—	434 600	—	—
7. Sixth session, 2007	46 700	—	46 700		
Subtotal 2006-2007	**8 433 400**	**4 328 600**	**4 104 800**	**3 394 400**	**—**
Programme budget for the biennium 2008-2009					
8. Fifth special session, 2007	3 635 100	—	3 168 400	—	466 700
9. Seventh session, 2008	5 460 500	2 533 300	1 692 000	—	1 235 200
10. Eighth session, 2008	1 429 300	1 154 200	243 900	—	31 200
11. Ninth session, 2008	2 149 300	1 681 700	467 600	—	—
Subtotal 2008-2009	**12 674 200**	**5 369 200**	**5 571 900**	**—**	**1 733 100**
Grand total	**21 107 600**	**9 697 800**	**9 676 700**	**3 394 400**[a]	**1 733 100**[b]

[a] See paragraph 11 of the present report.
[b] Subject of the present report.